IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

WRIT PETITION NO. 937 OF 2007

Cormorant Investments Pvt.Ltd..... Petitioner.

Versus

Matabi Shobnath Yadav & Anr..... Respondents.

Mr. Haresh Mansukhani for the Petitioner.
Mr. A.K.Lulia for the Respondents.

CORAM : B.H.MARLAPALLE, J.

DATED : 20TH APRIL, 2007.

P.C.:

Heard learned Counsel appearing for the parties.

2. For the reasons stated in the order rendered today in Writ Petition No. 934 of 2007, this petition is disposed of by directing the trial Court to frame and decide the following two additional issues as Issue Nos.3A and 3B, which read as under, R.A.E. Suit No. 985/1891 of 1991.

"3A. Whether the plaintiffs prove that they are the owners and landlords of the suit property and entitled to file the suit against the defendants"?

"3B. Does the Plaintiff prove that Defendants have denied their title for the suit premises and liable for decree of possession under Section 111 of Transfer of Property Act "?

Sd/-

(B. H. MARLAPALLE, J.)